The background features a stylized illustration of two hands shaking in a firm grip. The hand on the left is light blue, and the hand on the right is light green. Behind the hands are two stylized buildings: one on the left is yellow and white, and one on the right is orange and white. The background is composed of large, overlapping shapes in shades of blue, green, red, and grey.

Fair Housing Choice Analysis: Barriers to Housing Faced By Previously Incarcerated Persons

Created by the University of Pittsburgh
Center for Metropolitan Studies

in partnership with
the City of Pittsburgh
Commission on Human Relations

August 2013

Funded by the U.S. Department of Housing and Urban Development

“ The work that provided the basis for this study was supported by funding under a Cooperative Agreement with the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The author and publisher are solely responsible for the accuracy of the statements and interpretations contained in the report. Such interpretations do not necessarily reflect the views of the federal government.”



CITY OF PITTSBURGH

“America’s Most Livable City”

Commission on Human Relations

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Message from the Director of the City of Pittsburgh Commission on Human Relations

Discrimination is far more subtle today than in the past and continues to be a major obstacle for many of our residents. Discrimination restricts or limits opportunities for individuals to provide for themselves and their families and to positively contribute to our city.

The Pittsburgh Commission on Human Relations is an independent agency of municipal government charged with the enforcement of local laws prohibiting discrimination in employment, housing and public accommodations. In addition, the Commission has the power and duty to issue publications, reports of investigations and research in the field of human relations.

Through our efforts to expand fair housing education and outreach in the City of Pittsburgh, Commission staff has repeatedly heard of residents’ concerns with regard to the barriers to housing faced by persons being released back into the community after serving periods of incarceration.

In 2011, the Commission conducted a series of community meetings at various locations within the City of Pittsburgh as part of a continuing effort to educate the public with regard to their rights and responsibilities under the City’s Fair Housing Law. During these meetings, a common concern repeatedly emerged regarding obstacles in finding a place to live experienced by persons returning to the community following their release from a period of incarceration. The ability of such persons to find suitable housing is critical to the probability of their successful re-entry to communities.

The Commission noted the fact that current recidivism rates are in excess of 50% and that the cost of incarceration constitutes a tremendous financial burden on the public. In addition, we know anecdotally from community meetings and through local statistics, that the housing barriers are largely faced by African Americans. Further research was needed to determine the extent to which

(Page 2 – Message from the Director)

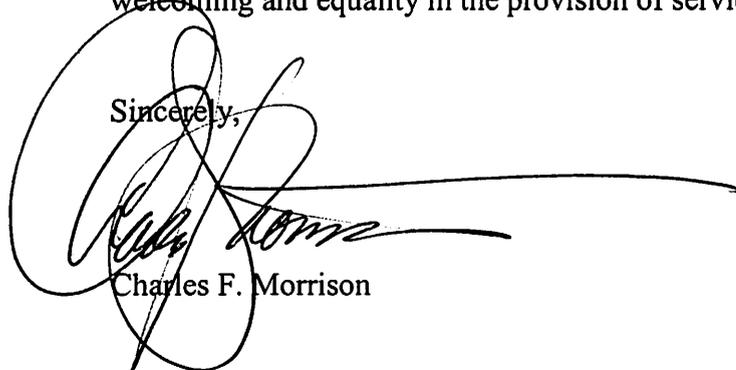
protected class status (such as race, gender and familial status) intersects with criminal background to result in differential treatment in the housing market.

In the later part of 2011, the Commission received notice from the U.S. Department of Housing and Urban Development (HUD) of the availability of funding for certain partnership activities. The Commission proposed a partnership with the Center for Metropolitan Studies at the University of Pittsburgh's Graduate School of Public and International Affairs to assess the barriers faced by previously incarcerated persons to obtaining housing within the City of Pittsburgh.

We are pleased to release this report which examines the barriers to housing faced by previously incarcerated persons to the public after one year of hard work. I would like to extend my thanks to HUD, the Center of Metropolitan Studies, my staff and the Commission for supporting this research.

For more than 50 years, people who work, live or visit our city have looked to the Pittsburgh Commission on Human Relations for assistance in resolving issues of unfair practices. The Commission is proud of its accomplishments as an agent of change and fairness in the places we work, live and play. This research will further assist the Commission in meeting the challenges of our residents to enjoy equal access to housing in neighborhoods that are welcoming and equality in the provision of services.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles F. Morrison", with a long horizontal flourish extending to the right. The signature is written over the printed name below it.

Charles F. Morrison

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Acknowledgments

The idea for this research emerged from community meetings in the Fall of 2011. Since that time, many people have made important contributions to this collaborative research project.

The City of Pittsburgh Commission on Human Relations is grateful to the research team at the University of Pittsburgh's Center for Metropolitan Studies for its commitment to the research. Sincere thanks to the research group members, Dr. Angela Reynolds, Dr. David Miller, Sarah Kinter, MPA, and research assistants Abigail Stark, Georgina Akutu-Happi, and Melaniesha Abernathy, for their dedication and assistance.

The research team would like to extend thanks to the participants of the focus group interviews for their contributions; this project would not have been possible without their willingness to share their experiences. We are grateful to Dean Williams, Director of the Formerly Convicted Citizens Project, for his assistance in recruiting focus group participants. The research team also thanks the Urban League of Greater Pittsburgh for the use of its facilities.

Many thanks go to Claire Walker of the Pittsburgh Child Guidance Foundation, Jackie Abel-Stavropoulos of the Goodwill of Southwestern Pennsylvania; Amy Kroll of the Allegheny County Jail; Frank Aggazio of the Allegheny County Housing Authority; David Weber of the City of Pittsburgh Housing Authority; Dan Vitek of Neighborhood Legal Services Association; and Susan Richardson of Bethlehem Haven, for their expertise and participation in the research interviews.

In addition, we would like to thank the many members of the Expert Panel meetings who have given their time and expertise to assist in formulating research questions, suggesting approaches to data collection, interpreting findings, and generating recommendations for change.

Finally, the research team is appreciative of the U.S. Department of Housing and Urban Development for providing funding and in particular, Michael Jansen, Director of the Pittsburgh Fair Housing and Equal Opportunity Field Office, for his support throughout the research project.

Executive Summary

Constraints on housing opportunities limit the ability of previously incarcerated persons to successfully reenter communities. This report provides an analysis and evaluation of the current barriers faced by previously incarcerated persons in securing housing in Pittsburgh, Pennsylvania. Methods of analysis are primarily qualitative and include focus group meetings with previously incarcerated persons, semi-structured interviews with housing and social service providers, and an examination of the local criminal justice system and Pittsburgh housing market.

Results of the data analysis show that (a) the housing needs of previously incarcerated persons differ based on their social networks, familial status, and the nature of the crime (violent or nonviolent) for which they were incarcerated; (b) housing opportunities are intrinsically tied to employment opportunities in a cyclical way; (c) Public Housing Authorities (PHAs) are major players in meeting the housing needs of previously incarcerated persons due to affordability; (d) the private housing market is predominantly inaccessible to previously incarcerated persons; and (e) there is a lack of funding to meet the needs of the previously incarcerated population.

It is recommended that:

- Service providers, governmental and corrections agencies, and housing providers convene a task force to coordinate service and funding efforts in order to effectively serve the population and reduce rates of recidivism;
- The private housing market be encouraged, through education and outreach by federal, state and local housing agencies and service organizations, to accommodate tenancy of previously incarcerated persons;
- Public Housing Authorities (PHAs) take a more flexible and individualized approach in their process of determining tenancy eligibility where criminal records are present;
- The U.S. Department of Housing and Urban Development (HUD) provide guidance to Public Housing Authorities (PHAs) to increase housing opportunities for persons with criminal records and;
- The U.S. Department of Justice and local and state Departments of Corrections continue to dedicate, expand, and redirect funding sources for re-entry services that include transitional housing programs.

The housing needs of previously incarcerated persons vary. This report recommends a holistic approach from government agencies, housing and social service providers and private market actors in the City of Pittsburgh to provide stable housing to reduce recidivism and affirmatively further fair housing choice.

Introduction to the Problem: Barriers to Fair Housing Choice for Previously Incarcerated Persons

Access to decent, affordable housing in communities of choice remains an important housing policy issue. For many households, access is further constrained by policies and practices that limit housing availability. Previously convicted or incarcerated persons face numerous impediments to re-entry to communities. Securing a place to live and receiving the support needed to maintain safe and secure housing is crucial to an individual's successful re-entry after prison or jail. In the public and private housing markets, landlords and property managers screen prospective tenants for criminal backgrounds to determine eligibility for tenancy. The use of criminal background checks to determine eligibility in housing for the recently released disproportionately affects low-income and minority families. The absences of stable housing exacerbate the ability of individuals to access employment and supportive services and reunite with positive social networks including family members and communities.

Housing security has long been recognized as a key factor in determining the physical, economic, and emotional health of people and communities. The first month after release from jail or prison is a particularly vulnerable period for ex-offenders. There is a high risk of becoming homeless, committing new offenses, violating parole or conditions of release, or relapsing into substance abuse. The Federal Interagency Re-entry Council (FIRC), which represents 20 federal agencies working to make communities safer by reducing recidivism, found that a strong link exists between incarceration and homelessness. Hundreds of individuals remain in prisons and jails well past their parole dates due to the lack of available affordable housing, adding to the growing costs of the U.S. prison system. Many people returning to communities from jails or prisons experience homelessness soon after release, whether they live on the streets, from "couch-to-couch" or in emergency shelters. The FIRC and National Re-entry Resource Center estimates that more than 10 percent of people entering jails and prisons are homeless in the months previous to incarceration and persons leaving the criminal justice system with a history of shelter use were almost five times as likely to stay in a shelter post-release ("NRRC Facts and Trends," 2011).

This research explores the role of government and policy in furthering or addressing barriers to housing for previously incarcerated persons. The following section reviews the current state of the criminal justice system in Allegheny County, Pennsylvania, presents an overview of relevant housing market data, and describes the impact of criminal records on obtaining housing in the public housing market in order to provide context for considering the qualitative data.

Local Criminal Justice Context

Allegheny County is a national leader in reintegration services through the Allegheny County Jail Collaborative which formulates and implements collaboration-based re-entry services to assist current and previously incarcerated persons in rebuilding their lives. The Collaborative is made up of members from local government departments including the Office of County Executive, Allegheny County Court of Common Pleas, Health Department, Department of Human Services, and Jail personnel, and includes a Civic Advisory Committee, which consists of leaders from academia, business, philanthropy and government ("Allegheny County

Jail Collaborative Report,” 2012). The goal of the Jail Collaborative is to save taxpayer dollars by increasing the likelihood of successful reintegration into communities by persons released from the Allegheny County Jail (ACJ) located in downtown, Pittsburgh.

The Collaborative was established 2001 in response to the ACJ’s steadily rising inmate population and 71 percent recidivism rate in the 1990s; it began a program to screen inmates to determine service needs, develop service plans, work with the Courts’ to negotiate early release for compliance with the service plans, focus on family reunification during incarceration and provide services post-release (“State of the Jail in 2000,” 2012). Only about five percent of persons booked into jail were able to receive classes and treatment offered through the program due to the availability of funding resources (“Allegheny County Jail Collaborative Report,” 2012). To assist a larger population, the Jail Collaborative created a Re-entry Program in 2010 which more than doubled the population of persons who received services with financial support from foundations and county, state and federal government. The Jail Collaborative instituted alternatives to incarceration through therapeutic housing and diversion programs to treat individuals with substance abuse disorders and partnered with community-based organizations to deliver services during and post-incarceration, including family support services, mentoring, job training, drug and alcohol treatment programs and other justice-related services.

In the 2008 study, "Overview Report of Allegheny County Jail Collaborative Evaluation Findings" completed by Hide Yamatani at the University of Pittsburgh Center on Race and Social Problems, researchers evaluated the ability of the Jail Collaborative’s programs to reduce recidivism rates. At 12 months post-release, inmates who participated in the Collaborative’s programs achieved a 50% lower recidivism rate of 16.5% compared to a demographically similar sample comprised of inmates released in 1996 with a recidivism rate of 33.1% (Yamatani, 2008). The report also found that Allegheny County saved \$5.3 million by servicing 300 inmates annually through the Collaborative’s programs with a cost-savings ratio of approximately 6 to 1, meaning for every dollar investment to the Collaborative, the cost-savings return is approximately \$6 (Yamatani, 2008).

The Yamatani (2008) study also asked participants who received Jail Collaborative services where they slept their first night out-of-jail; 48.4% of respondents stated that they went to a relative or friend's place, 19.1% returned to their own home or apartment, 14.4% went to a residential treatment facility, 7.6% to transitional housing or halfway house, 7.2% to another shelter (church facility, met someone), 1.1% to a shelter, 1.1% to a hotel, motel or rooming house, and 1.1 % experienced homelessness.

In regards to housing assistance offered, there are few housing programs that provide transitional housing for the previously incarcerated. Michael’s Place of St. Vincent de Paul Council of Pittsburgh offers a residential program for persons transitioning from jail or prison for approximately six months. The newly created (2011) HARBOR program of the Goodwill of Southwestern Pennsylvania is a local, HUD-funded program consisting of 40 scattered site, single unit apartments throughout the Pittsburgh area that house previously incarcerated persons who are documented homeless for up to two years. Homeless shelter programs through Allegheny County Bureau of Hunger Housing Services, Bethlehem Haven Women’s Shelter, Salvation Army, Wood Street Commons, Light of Life, Presbyterian Church, YWCA, Debra House and others are often at full capacity and struggle to transition persons to permanent

housing. In 2009, 17,964 persons were released from the Allegheny County Jail, many of whom have not received reintegration assistance to increase their likelihood of securing more stable housing (“Annual Report,” 2009). The reentering population far exceeds the hundreds of temporary housing units available in the Pittsburgh region.

The Housing Market in the City of Pittsburgh and Allegheny County

Low-income families face several challenges locating decent affordable housing. During the research team’s Expert Panel discussion in April 2013, housing and service providers persistently pointed to the difficulty of acquiring affordable rental housing in the private market due to the lack of available units. “Affordable housing” is defined as a household paying no more than 30 percent of its annual income on housing. The shortage of decent, affordable units is due in part to the impact of “renting down,”¹ in which higher income individuals rent units in a lower income bracket. The result of “renting down” is that there are fewer available affordable rental units for low income families and individuals. Thirty percent and 43.3 percent of properties are renter-occupied in Allegheny County and the City of Pittsburgh respectively (Deitrick, Reynolds, Briem, Gradeck, & Ashcraft, 2011).

In Allegheny County and the City of Pittsburgh, the aging housing stock also has implications on the ability of low-income individuals and families to secure affordable housing. The study, “Estimating the Supply and Demand of Affordable Housing in Allegheny County,” (2011) by the University of Pittsburgh Program for Urban and Regional Analysis provides a comprehensive overview of the local affordable housing market, finding that both owner-occupied and renter units average 50 years old, with rental properties tending to be older than owner-occupied housing. Older housing units are more costly to maintain due to deterioration and repair needs. The report indicates that African American households in Allegheny County were more likely to be renters than homeowners compared to white households and on average were more likely to live in poorly-maintained housing in the Pittsburgh metropolitan region:

“In areas or neighborhoods where market conditions are not strong and property deterioration is in evidence, older properties become more difficult and more expensive to keep in adequate condition. Continued racial residential segregation and geographic concentration of affordable housing has implications for the quality of the housing in African American communities (Deitrick, Reynolds, Briem, Gradeck, & Ashcraft, 2011).”

In addition to the aging housing stock, the demand for subsidized housing exceeds the actual supply in Allegheny County. In the public housing market, the average waiting time for the Allegheny County Housing Authority (ACHA) averaged 9.2 months and approximately three years for the housing choice voucher program (Deitrick, Reynolds, Briem, Gradeck, & Ashcraft, 2011). The waiting lists for both the ACHA and the Housing Authority of the City of Pittsburgh (HACP) have been closed for at least three months at the time of this report in June 2013.²

¹ “Renting down” is a term coined by Dr. Reynolds of the Center of Metropolitan Studies to describe this pattern.

² In 2008, there were approximately 35,000 subsidized housing units in Allegheny County, with about 62,000 residents occupying them. In 2009, African Americans comprised 67.1 percent of the residents occupying public housing in Allegheny County. (Deitrick, Reynolds, Briem, Gradeck, & Ashcraft, 2011)

Public Housing Authorities and Criminal Records

The U.S. Department of Housing and Urban Development (HUD) requires all Public Housing Authorities (PHAs) to perform criminal background checks on applicants seeking housing assistance and requires PHAs to permanently ban admission to applicants for two offenses: (a) the conviction of methamphetamine production on the premises of federally-funded housing, and (b) persons registered under the lifetime sex-offender state program. PHAs are also required to prohibit admission of families with members who were evicted from federally-assisted housing for drug-related criminal activity for three years following the date of eviction, who are currently engaged in illegal use of a drug, or who use illegal drugs and/or have shown a pattern of abuse of alcohol that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents (“Public Housing Occupancy Guidebook” 2003). PHAs have a great deal of flexibility to create local admission policies for individuals with criminal records and histories of illegal substance use.

On June 17, 2011, HUD Secretary Shaun Donovan issued a letter to PHAs across the nation encouraging more flexible admission policies for persons with criminal histories, stating:

“As President Obama recently made clear, this is an Administration that believes in second chances – that people who have paid their debt to society deserve the opportunity to become productive citizens and caring parents, to set the past aside and embrace the future. Part of that support means helping ex-offenders gain access to one of the most fundamental blocks of a stable life – a place to live (Donovan, 2011).”

The Secretary’s letter encourages PHAs to abandon any existing “zero tolerance” policies and provides additional guidance to HUD’s Public Housing Occupancy Guidebook’s (2003) Qualification for Admissions section, which encourages PHAs to consider the time, nature and extent of the applicant’s conduct and the seriousness of the offense.

Three PHAs co-exist locally, including the Housing Authority of the City of Pittsburgh (HACP), the Allegheny County Housing Authority (ACHA) and the McKeesport Housing Authority (MHA), each with differing rules on housing eligibility based on criminal records available through the authorities’ respective Admissions and Continued Occupancy Policies or ACOPs. This research will focus on the City of Pittsburgh and Allegheny County Housing Authorities, because they both operate in the City of Pittsburgh, while MHA operates only in the City of McKeesport.

ACHA conducts background checks on every adult member in the household. Criminal histories are retrieved through the Pennsylvania State Portal online, and ACHA may also conduct a federal background check if deemed appropriate and necessary. In addition to the federal guidelines for ineligibility, ACHA local policies also deny applicants if any household members have committed,

“voluntary manslaughter, aggravated assault, involuntary manslaughter, endangering the welfare of a child, reckless endangerment of another person, statutory sexual assault (danger to person), possession or delivery of a controlled substance, possession with intent to deliver a controlled substance, the manufacturing of a controlled substance or new drug, possession of marijuana, solicitation of a minor to traffic drugs (drug offenses), causing or risking a catastrophe, criminal mischief when amount exceeds \$5,000.00 (offenses against property), burglary, robbery (burglary and other criminal intrusion), theft by unlawful taking or disposition, theft by deception, theft by extortion, theft of services, theft of leased

property, theft by failure to make required disposition of funds received, forgery, access device fraud, identity theft (theft and related offenses-felonies only), luring a child into a motor vehicle or structure, disarming a law enforcement officer (other offenses)”

within the past five years (“ACHA Admissions and Continued Occupancy Policy (ACOP),” 2012).

The Allegheny County Housing Authority ACOP (2012) states that housing will be denied if anyone in the household is currently charged with or has been charged with indecent assault in the last 10 years and any household member who is currently charged with, or convicted of attempt conspiracy or solicitation to commit any of the aforementioned offenses. Finally, an applicant will be denied for life if they have been charged with or convicted of murder, rape, and/or other sex-related crimes (excluding statutory sexual assault and indecent assault), kidnapping or arson (“ACHA Admissions and Continued Occupancy Policy (ACOP),” 2012).

Similar to the ACHA, the HACP performs background checks on all of the adult members of the household and may also conduct a federal background check if it is deemed appropriate and necessary. The HACP takes a broader approach in determining who will be denied housing on the basis of a criminal background. According to the HACP’s ACOP (2012), any person who has committed a crime of violence to persons and/or property, and any other conduct or behavior that may adversely affect the health, safety, or welfare of other residents will be denied housing. In addition, if a person has committed murder, rape, involuntary deviate sexual intercourse, or arson they will be denied from public housing for life.

The HACP also differs from the ACHA, because they use a system known as “stacking,” to determine the length of time in which an applicant is ineligible for a housing unit. Under the stacking rules, each felony conviction receives seven points and each misdemeanor receives four points, where each point corresponds to a one-year ban (“HACP Admissions and Continued Occupancy Policy (ACOP),” 2012). If an applicant received two or more charges during one arrest or conviction, the convictions do not stack and only the “higher” crime is counted in terms of point stacking. For example, if an applicant has a criminal record that indicates they were incarcerated for a felony and misdemeanor at the same time, the applicant would be ineligible based on the more severe crime only, in this case a felony for seven points or years. If an applicant has one felony and one misdemeanor conviction from separate crimes, the applicant will be ineligible for HACP housing for 11 years from the date of their last conviction.

Criminal background checks are not completed until applicants reach the top of the waiting list at both ACHA and HACP. Applicants often wait months to reach the top of the waiting list. As a result, applicants expecting housing are told too late in the process that they could not be considered due to their criminal history which increases their housing search time. For persons with criminal records who search for housing, the use of criminal background checks to determine eligibility for a housing unit disproportionately affects minority families. Recent estimates show that of the 18,141 persons admitted to the Allegheny County Jail (ACJ) in 2009, 9,204 (51%) were African American, 8,379 (46%) were white, and 558 (3%) were

identified as “other” (“Annual Report,” 2009).³ According to 2010 U.S. Census population estimates, of the 1,223,348 people who reside in Allegheny County, Pennsylvania, 81.5% identify as white, 13.2 % African-American, and 2.8 % Asian. The disparity in incarceration by race and subsequent use of criminal background checks to deny housing in the public and private market hinders development of stable minority families and may have implications regarding the Fair Housing Act.

The City of Pittsburgh and Allegheny County are entitlement communities under the U.S. Department of Housing and Urban Development’s (HUD) Community Development Block Grant (CDBG) program, and must affirmatively further fair housing in accordance with the Housing and Community Development Act of 1974, as amended. The primary way that entitlement communities complete this requirement is through the Analysis to Impediments (AI) to Fair Housing Choice study. The AI reviews public and private policies and practices to promote fair housing choice and address any impediments to fair housing. Impediments to fair housing choice are any actions, omissions or decisions that have the effect of restricting housing choice or are taken because of a person’s race, color, religion, national origin, sex, disability, sexual orientation, or familial status that restrict the housing choices or the availability of housing choices.

At the Federal level, there are three primary laws that address discrimination in housing:

- Title VIII of the Civil Rights Act of 1968, as amended, also known as the Fair Housing Act, prohibits discrimination on the bases of race, color, national origin, religion, sex, disability, and familial status in real estate and housing transactions.
- The City of Pittsburgh Commission on Human Relations (CHR) enforces the substantial equivalent of the Fair Housing Act locally, and also includes sexual orientation as a protected class.
- Section 504 of the Rehabilitation Act prohibits discrimination against persons with disabilities in programs that receive federal financial assistance.

In April 2013, the nation celebrated the 45th anniversary of the signing of the Fair Housing Act of 1968. After more than four decades of experience with fair housing law at the local, state, and federal levels, occurrences of overt intentional discrimination are less common now and are more likely to be identified and remedied. However, some policies and actions may have discriminatory effects but show no obvious intent to discriminate. On February 15, 2013, the U.S. Department of Housing and Urban Development (HUD) issued a final rule, “Implementation of the Fair Housing Act’s Discriminatory Effects Standard,” (2013) to formalize the Department’s long-held interpretation that a charging party of a discrimination case can establish a Fair Housing Act violation using the “disparate impact” theory of liability.

According to the Final Rule:

“Under this test the charging party or plaintiff bears the burden of proving its prima facie case that a practice results in, or would predictably result in, a discriminatory effect on the basis of a protected characteristic. If the charging party or plaintiff proves a prima facie case, the burden of proof shifts to the

³ In comparison to the national level, 1,537,415 persons were sentenced to more than one year under state and federal jurisdiction in 2011, where 581, 300 (37%) identified as African American, 349, 900 (22%) Hispanic, and 516,200 (33%) White (Carson & Sabol, 2012).

respondent or defendant to prove that the challenged practice is necessary to achieve one or more of its substantial, legitimate, nondiscriminatory interests. If the respondent or defendant satisfies this burden, then the charging party or plaintiff may still establish liability by proving that substantial, legitimate, nondiscriminatory interest could be served by a practice that has a less discriminatory effect (“Implementation of Fair Housing Act’s Discriminatory Effects Standard, Final Rule,” 2013).”

Disparate impact is the result of a policy that appears neutral on its face, but as applied has an adverse impact on someone in a protected class. The rule “formally established the three-part burden-shifting test for determining when a practice with a discriminatory effect violates the Fair Housing Act” (“Implementation of Fair Housing Act’s Discriminatory Effects Standard, Final Rule,” 2013). This rule provides important context for policymakers in assessing and remedying barriers to fair housing choice for persons with criminal records.

Methodology

The research team took a mixed-method approach to assess the barriers to housing faced by previously incarcerated persons. Qualitative data was collected through focus group interviews with previously incarcerated persons and semi-structured interviews with local service providers and experts in the fields of criminal justice, social work, and housing policy. Researchers reviewed relevant quantitative data to capture factors that affect housing choice for previously incarcerated persons, including housing market conditions in the City of Pittsburgh and Allegheny County, Pennsylvania.

The focus group interview method used for this research took a less-structured approach to encourage participant engagement with one another, rather than with the moderator. Focus group interviews allow for group dynamic interactions to assist researchers in capturing shared experiences. The moderator of the focus groups aimed to facilitate discussion, rather than direct it. Focus group meetings were held at the Urban League of Greater Pittsburgh's Housing Department from 4:00 pm to 6:00 pm in Downtown, Pittsburgh. Tuesday and Thursday afternoons were chosen due to site scheduling and personnel availability. Seven focus group meetings were scheduled and five were successful in drawing participants. Director Dean Williams of the Formerly Convicted Citizens Project (FCCP) served as the primary recruiter for the focus group meetings. The most effective method of recruitment was speaking with previously incarcerated persons at social service centers and during informational meetings such as the Urban League of Greater Pittsburgh's Record Expungement Program. A summary and analysis of focus group responses may be found on pages 10 - 12 in this report.

Semi-structured interviews were used to expand on emergent issues from the focus group interviews and provide researchers with service provider's perspective on barriers to housing. Semi-structured interviews were conducted with an open framework to allow for focused, conversational communication. Semi-structured interviews were performed with the following organization representatives:

- Claire Walker, Director of the Pittsburgh Child Guidance Foundation
- Jackie Abel-Stavropoulos, Re-entry Housing Programs Director at the Goodwill of Southwestern Pennsylvania
- Amy Kroll, Re-entry Coordinator of the Allegheny County Jail
- Susan Richardson, Housing Counselor at Bethlehem Haven
- Dan Vitek and Eileen Yacknin, Attorneys at Law at Neighborhood Legal Services Association
- Frank Aggazio, Director of the Allegheny County Housing Authority
- David Weber, Government Relations and Special Services Officer at Housing Authority of the City of Pittsburgh

A summary and analysis of semi-structured interview responses may be found on pages 13 - 19.

Focus Group Data Summary: Perceptions of Housing Barriers

Focus group participants met at the Urban League of Greater Pittsburgh from 4:00 p.m. to 6:00 p.m. There were 26 focus group participants in total, with group sizes ranging from four to six persons. Focus group respondents were primarily incarcerated at the Allegheny County Jail located in downtown Pittsburgh. Few respondents were incarcerated in state prisons located in Pennsylvania, Ohio or West Virginia. Respondents were asked to complete a short survey to identify their (a) age, (b) sex, (c) race, (d) years passed since incarceration, (e) marital status, (f) need for a handicapped accessible housing unit, (g) children in their care and (h) residency inside or outside the City of Pittsburgh. Names were not included on the surveys for anonymity. Respondents' ages ranged from 28 to 70 years old. More than half of respondents (58%) were female and 65% of respondents identified as African American. The average number of years passed since incarceration was eight years. Nearly 55 percent of respondents identified as single, 19% divorced, 11% married, and 15% did not respond. Thirty percent of respondents identified themselves as having a disability. Fifteen percent of respondents had children in their care. Sixty nine percent of respondents stated that they reside within the City of Pittsburgh. A list of topic questions used by the moderator to spark discussion can be found in Appendix C (pg. 30).

The common barriers to housing discussed in the focus group interviews and expanded on below include:

- Routine denials of a housing unit due to presence of criminal record in the public and private housing markets
- Homelessness
- Financial Barriers

Routine Denials

Respondents stated that the largest barrier to housing was routine housing denials due to the presence of a criminal record. Private landlords regularly use criminal background and credit checks to screen prospective tenants. In this discussion, the distinction between incarceration versus conviction became a central issue. Many respondents stated that they were arrested and incarcerated but never convicted of a crime, yet they had a criminal record on file that led to ineligibility of a housing unit or employment opportunities.

Participants expressed frustration and difficulty in their ability to secure affordable housing from local Public Housing Authorities (PHAs). Respondents reported that they received letters of ineligibility barring them from public housing units for four to as many 17 years due to their criminal histories. Some respondents were aware of the point-based system used by the City of Pittsburgh and Allegheny County Housing Authorities (see pg. 5-6) to determine the period of time in which an applicant is ineligible because of their criminal record. While participants were aware of some eligibility rules, respondents were largely uninformed about the PHAs appeal process. Focus group participants indicated they did not realize they could appeal the PHAs decision or discovered information regarding the appeal process well beyond the required 10-day response period because of their homelessness and lack of access to their given mailing address, which was often that of a friend or family member. Many respondents were aware of the long waiting lists for PHA units and stated that they never bothered to apply, assuming it was futile.

Respondents stated that they turned to the public housing market due mostly to affordability. As one respondent stated “I’ve had lots of trouble applying for housing through the Housing Authority, which is all I can afford. They said I’m not eligible until 2021. I went there three times and it wasn’t until my last visit that someone said I needed documents on rehabilitation to get in.” Other respondents suggested that the PHA units’ relative distance to public transportation made the unit a good fit. Public transportation was repeatedly discussed as the primary mode of transportation to employment and a significant factor in the need to obtain housing in the urban core.

In addition to navigating the requirements of PHAs to secure Housing Choice Vouchers, respondents felt that landlords too often rejected Housing Choice Vouchers. In some cases, landlords did not accept vouchers because they did not meet the housing quality standards required under the program. Other respondents suggested that they felt stereotyped as a potentially “bad tenant” for using a Housing Choice Voucher. One respondent noted that he had a more difficulty searching for housing with a voucher than without.

Participants commonly discussed the difficulty in acquiring housing in the private market due to standard criminal background checks and credit checks. For those few respondents who did obtain housing with a private landlord, the landlord-tenant relationship was typically informal, with no lease, and a verbally agreed upon monthly rent. Respondents stated that because of the lack of affordable housing in the private market, the owners of their current or previous apartments post-incarceration were managed by “slumlords,” or absentee property owners. Other respondents said that they obtained housing through community members that they knew before incarceration, or from a landlord who was sympathetic to their particular situation. Again, these landlord-tenant relationships were typically informal and without a lease. One respondent suggested that the constraints in the private market were “just a Pennsylvania thing,” asserting that “having good rapport with people is important [in Pittsburgh]” and maybe that is why affordable housing is scarce.

Homelessness

In each focus group interview, at least one respondent described their experiences of homelessness post-incarceration. Respondents discussed the social ties that were severed during or post-incarceration, leaving them unable or unwilling to depend on community or family members for housing support. In some cases, respondents expressed their need to sever ties with negative social networks or persons who were involved in the respondent’s incarceration. Many formerly homeless respondents felt that they had to stay away from communities they had grown up in to prevent relapsing to drug and alcohol abuse.

Focus group participants also pointed to restrictions in emergency and transitional housing programs that served as barriers to temporary housing. Many transitional housing programs require new tenants be drug-free for 30-days before admittance or do not accept persons who have committed violent crimes. Other transitional or emergency housing programs accept only women, only men, or only women with young children. Respondents discussed the effect that emergency shelter denials had on their emotional and mental health when they felt they needed help the most. As a result of these barriers, many participants lived on the street. In

other cases, respondents discussed sleeping “couch-to-couch” with friends, significant others, and relatives. This instability of housing severely affected the respondent’s ability to complete or follow up on employment and social service applications, which often require an address and phone number.

Financial Barriers

Financial barriers, including unemployment and poor credit were commonly discussed as significant barriers to securing housing. Likewise, the absence of stable housing was seen as a large barrier to employment. This issue was perceived as cyclical by participants: respondents could not obtain employment because of their criminal record, which constrained their financial ability to obtain stable housing, which affected their ability to search for employment. As one respondent stated, “It’s hard to live out of a bag. You need a place to clean up.” Another respondent countered, stating that focusing on employment must be done first, before focusing on housing because, “how can I pay for a place without a job?”

Participants also pointed to housing application fees as a barrier to housing, amounting anywhere from \$15 to \$40 depending on the landlord. Respondents felt that even in cases where they were upfront about their criminal record, housing providers required an application fee to complete background checks, despite knowing that the applicant would be deemed ineligible due to their criminal history.

Many of the ex-offenders expressed the sentiment that their past crimes and background check would always come back to hurt their present and future opportunities. One respondent discussed returning to school in an attempt to better his future after release; however the respondent was disheartened to find that despite his best effort, he could not find employment because of his criminal past. Other respondents mentioned that they have been out of jail for years, but they are unable to secure permanent housing or employment because of the crimes they committed in their youth. Respondents overwhelmingly expressed their view that they had paid their debt to society and wanted to move on with their lives.

Semi-Structured Interview Summary: Provider Perspectives on Housing Barriers

The semi-structured interviews conducted elaborated on or clarified issues that emerged from the focus group discussions. Semi-structured interviews also assisted in revealing other barriers to housing not previously mentioned in the focus group interviews. Each of the interviews provided insight into the topic of barriers to housing faced by previously incarcerated persons through the lens of service providers, the criminal justice system, housing providers, and legal experts.

Claire Walker, Pittsburgh Child Guidance Foundation

Reuniting with family members during and post-incarceration has been identified in academic literature as a key way to reduce recidivism. Claire Walker, former Director of the Pittsburgh Child Guidance Foundation (PCGF), is a local and national leader in research regarding how children and families are affected by incarceration. Since 2003, the PCGF has worked in Allegheny County to increase awareness regarding how parents' arrest and incarceration impact their young children. The PCGF's 2012 Annual Report reveals that 12 to 15% of children in Allegheny County will experience the incarceration of a parent during their childhoods. The report points out that across the nation, children are more likely to drop out of school if their parent is incarcerated, and dropping out doubles a child's chance of being imprisoned at some time in their lives. In Pittsburgh, boys whose parents are incarcerated are more likely to fail in school, commit serious delinquent acts and use illegal substances in their teen-age years (Pittsburgh Child Guidance Foundation, 2012). PCGF has worked with the Allegheny County Jail (ACJ) to create and advocate for policies that lessen the trauma experienced by children during the arrest and incarceration of a parent or loved one. In response to the need of incarcerated parents to visit their families during incarceration, PCGF partnered with the ACJ to create a Family Activity Center, a unique initiative that provides a place for family members to meet during incarceration in a specially designed waiting room that helps to reduce children's stress as they visit loved ones.

Walker focused on the differences in housing needs based on familial status and gender. Parents with children have very different housing needs in terms of space and proximity to schools and child care than single persons. For mothers who experience homelessness post-incarceration, many shelters will not accept an older male or female child, which limits the types of shelters on which women with children can rely and serves as a barrier to temporary housing and family reunification. In addition, parents who are restricted to Allegheny County on the condition of their parole, but have families living outside of county, struggle to reunite. Walker shared a story from a PCGF focus group participant who was unable to rejoin her family in Philadelphia based on the conditions of her probation. When the participant found out she was unable to move back home, she became stressed and relapsed.

Walker also expanded on the financial strain of incarceration. Parents who go to jail further impoverish their families due to the loss of the parents' income, and increased expenses for legal, court and probation fees, bail, child care, jail phone calls, 'commissary' purchases and visits. This economic drain exacerbates financial and emotional stress experienced by families of incarcerated persons. In PCGF's research and focus groups, incarcerated men described the

anger that their partners exhibited toward them, as often times women would take on multiple jobs and full responsibility of the children all at once. As a result, many men were barred from the family home post-release and could not rely on their families for housing. According to Walker, men reportedly have a more difficult time than women getting back on track with their children after re-entry. Walker acknowledged in some cases family reunification may not be a viable method of increasing stability post-release for persons who have burnt bridges with their positive social connections or whose past environments include negative social connections that may encourage additional criminal activity.

Walker cited the effect of PHA policies in hindering family reunification and housing stability, noting that persons released from prisons or jails are barred from public housing for a mandatory period of time, but families need to be reconnected immediately to help reduce recidivism. Walker also remarked on the strides HUD has made to better educate and publicize federal initiatives to improve re-entry through PHA policies via webinars and a “myth busters” series. Walker suggested approaching housing policies for previously incarcerated persons with the needs of children in mind, stating that future policies require the networking of the criminal justice system, service providers and housing providers to help reunite families and create a more stable lifestyle for recently released persons to reduce recidivism.

Susan Richardson, Bethlehem Haven

To further learn the policies and procedures of shelter programs in the Pittsburgh region, the research team met with Susan Richardson, Housing Counselor at Bethlehem Haven located in Pittsburgh. Bethlehem Haven is a Pittsburgh-based non-profit organization which provides a variety of services, including an emergency shelter that provides housing for homeless women for up to 60 days, transitional housing, permanent housing, supportive services for women who have mental health disabilities, and an aftercare program for homeless women for six months past the signing of a housing lease to prevent future homelessness. Bethlehem Haven guides previously incarcerated persons through the process of searching and applying for housing, as well as life-skills work to improve the client’s likelihood of maintaining long-term tenancy. Richardson estimated that nearly 80% of clients who receive Bethlehem Haven services have been previously incarcerated, and stated that housing is the first thing on the mind of someone recently released from jail or prison.

Richardson noted that an initial barrier that recently released persons face is securing proper identification for housing, employment, and service applications. Many clients lack photo identification, birth certificates or social security cards, resulting in a large and time-consuming barrier to entry in the housing market. Richardson pointed out that this barrier is not insurmountable at Bethlehem Haven, where clients receive assistance in retrieving or applying for new identification to help them in moving forward. However, many shelters and social services do not have the capacity to assist in this process.

In the event that there is no more bed capacity to take in an additional client at Bethlehem Haven, housing counselors rely on personal contacts and a network of local emergency, transitional and alternative housing connections to assist all persons that come for shelter. Richardson is continually in contact with the Allegheny County and City of Pittsburgh Housing Authorities to assist in acquiring permanent affordable housing for clients. Bethlehem Haven has

often served as an advocate on behalf of persons who appeal PHA housing eligibility denials due to criminal records. Richardson contends that public housing providers and sometimes private landlords are more likely to provide housing to persons with a criminal history when organizations such as Bethlehem Haven serve as an advocate on behalf of the client and help demonstrate to the housing provider the client's rehabilitation. Richardson explained that most of the time a client with an advocate can successfully appeal an eligibility denial. Individuals who are denied housing after an appeal despite having an advocate often owe back payments to the Housing Authority from previous tenancy. Richardson highlighted the need for financial education during incarceration in preparation for release, noting that many clients were unaware of credit report ratings and basic information required for obtaining a bank account, creating a budget, or saving money.

Finally, Richardson noted that the housing options available to ex-offenders are not widely known. Richardson suggested that a significant barrier to housing was the lack of information on what services are available to previously incarcerated persons locally by clients as well as service providers. Richardson suggested a clearinghouse of service information available to the previously incarcerated and stressed the need for better financial education during incarceration in preparation for release as two significant ways to better prepare the incarcerated for re-entry.

Jackie Abel-Stavropoulos, Goodwill of Southwestern Pennsylvania

In addition to shelter programs, the research team also met representatives at the Goodwill of Southwestern Pennsylvania (GSP) Reintegration Department to learn more about transitional housing programs for previously incarcerated persons. Jackie Abel-Stavropoulos is the program manager of the Goodwill's HARBOR Employment and Training Program, a unique and innovative program which helps formerly incarcerated adults, who are documented as homeless, transition back into community life by providing temporary housing for up to two years and supportive services to overcome barriers to employment. Funded by the U.S. Department of Housing and Urban Development (HUD), the HARBOR program offers 40 single-bedroom apartment units scattered throughout the greater Pittsburgh area. The apartments are simply furnished and stocked with basic household items with the ultimate goal of providing clients the tools to move into permanent housing, become good tenants, and the ability to support themselves.

Abel-Stavropoulos emphasized the huge need for transitional housing among previously incarcerated persons. Currently the 40 units under the HARBOR program are occupied and 55 referrals have been placed on the waiting list as of January 2013. Abel-Stavropoulos noted that most referrals to the program come from representatives of the Allegheny County Jail, the YWCA of Greater Pittsburgh Chrysalis Housing program, and St. Vincent de Paul's Michael's Place. The HARBOR program is unique because persons enrolled are placed in units owned by private landlords. According to Abel-Stavropoulos, private landlords participating in this program have expressed appreciation for the commitment of Goodwill staff and probation officers in assisting tenants in transitioning. However, Abel-Stavropoulos noted the initial difficulty in acquiring private landlords to take part in this program. Emphasizing the need for employment, the HARBOR program searched for units which were close to public transportation to ensure relatively inexpensive travel for clients to attend trainings, meetings, interviews, and

places of employment. Monthly rent payments are made by GSP, which assisted in making the program more appealing to private housing providers. HARBOR employees inspect units monthly to gauge how clients are adjusting and assist in life-skills where necessary. After the first year of the program, six clients successfully transitioned into permanent housing before their two year time allotment.

Abel-Stavropoulos described the common struggles clients go through transitioning after re-entry. Many clients have “burned bridges” or ended their relationships with family members due to their criminal activity or incarceration and struggle to maintain positive social networks. In addition, many clients who have been incarcerated for years require training in basic life skills and tenant skills that are not necessary in prison or jail.

In addition to HARBOR, GSP also manages a RAMP transitional housing program which includes six units: five probation officers from the Allegheny County Jail assist in client re-entry through this program and provide referrals to the units. The probation officers involved in this program are highly committed to the successful re-entry of clients. In general, probation officers vary on how closely they work with a person on parole or probation. While many assist in connecting persons with support services, a majority do not. Abel-Stavropoulos suggested that the Allegheny County Jail take steps to train more probation and parole officers to take on the role of assisting in the transition process of previously incarcerated persons.

Daniel Vitek and Eileen Yacknin, Neighborhood Legal Services Association

Many persons who are denied housing because of their criminal background turn to legal organizations for assistance. Neighborhood Legal Services Associations (NLSA) is a non-profit organization which provides free civil legal services to low-income individuals and families. The research team met with attorneys Daniel Vitek and Eileen Yacknin of the NLSA Pittsburgh Office to offer insight into the housing cases that NLSA has taken with previously incarcerated persons who have been denied housing in the private and public markets.

In the private market, Vitek and Yacknin discussed the frustration felt by clients who were denied the use of their Section 8 Housing Choice Voucher. Many households face barriers to housing by landlords who are unwilling to rent to voucher holders. In most cases, NLSA is unable to assist clients who were denied, as currently there are no protections for source of income discrimination in Pennsylvania or at the federal level.

NLSA, like many other service providers who participated in this research through semi-structured interviews and expert panel meetings, have faced severe budget cuts limiting their capacity to assist persons. Vitek and Yackin stated that many clients who turn to them for help have been turned down from shelters and transitional housing because they were fully occupied.

In the public market, Vitek and Yacknin discussed their work advocating on behalf of clients who have received ineligibility notices from PHAs due to their criminal background. Vitek explained that persons who receive letters of ineligibility have only ten days to respond and request an informal hearing to appeal. In many cases, clients turn to NLSA beyond the ten day time period due to their homelessness, change of address, or other barriers in reaching their private mail. In addition, while clients are required to respond in a ten-day period, PHAs may not

schedule an informal hearing for a month or longer. By that time, clients often move on or cannot be reached for communication. Vitek and Yacknin stated that while the goals of the PHAs and NLSA align in that they both work to make sure people have adequate housing, the informal hearings on eligibility are adversarial and stressful for clients.

Vitek and Yacknin suggest that the PHA policies are an undue burden to persons seeking housing. Vitek and Yacknin stressed the need for a clear and consistent procedure between the local PHAs in determining eligibility based on criminal history. Vitek shared a story of a client who received six months' probation and no jail time for taking anti-depressant medication; the client was later proscribed the same medication for her depression. The client applied for public housing and was denied because of her criminal record. During the appeal process, NLSA explained that the client was currently taking the prescribed medication for which she was initially detained. Despite needing the medication, the PHA ruled that the client was still ineligible because she had not attended rehabilitation classes, which did not properly reflect the needs or situation of the client.

Vitek and Yacknin suggested that PHAs automatically provide the criminal record check along with the letter of ineligibility. In some cases, persons were denied housing based on the criminal histories of a different person with a similar name. Providing an opportunity for an applicant to review the record and social security number associated with the letter of ineligibility would allow incorrect denials to be addressed immediately.

Vitek and Yacknin pointed to many cases where criminal charges were dropped or probation without verdict decisions were made by the courts, yet clients still had a record on file that served as an impediment their housing opportunities. Many of these cases were simple to solve, requiring the client to pay a fee to the courts or to find the proper channel for record expungement. Expungement proceedings are a type of lawsuit in which a first-time offender of a criminal conviction seeks the sealing of records, making them unavailable to state or Federal repositories. Currently, the Urban League of Greater Pittsburgh offers an Expungement Workshop for previously incarcerated persons to complete this process, but it is still largely unknown. Vitek and Yacknin suspect that many persons who are denied a housing unit are also unaware that NLSA is there to help.

Frank Aggazio, Allegheny County Housing Authority (ACHA) and David Weber, Housing Authority of the City of Pittsburgh (HACP)

Due to the dependency of previously incarcerated persons and service providers on the Public Housing Authorities (PHAs) for permanent affordable housing, the research team met with representatives from the Allegheny County and City of Pittsburgh Housing Authorities for perspective and clarity on the current constraints and abilities of PHAs to provide housing to previously incarcerated persons.

As reviewed in *Public Housing Authorities and Criminal Records* section (pg. 5-6) of this report, PHAs are required to follow federal occupancy rules and have their own local rules regarding eligibility for persons with criminal backgrounds. Frank Aggazio, the executive director of the Allegheny County Housing Authority (ACHA), explained that of the 3,345 criminal background checks completed in 2012 for public housing units and Section 8 Housing

Choice Vouchers, only 211 (6.3%) failed the criminal background check. Of those 211 persons denied because of their criminal background, 62 (29%) persons appealed resulting in 12 reversed decisions. Aggazio noted that once a person is denied, they are restricted from reapplying for housing for five years.

In comparison, David Weber of the Housing Authority of the City of Pittsburgh (HACP) stated that of the 2,918 public housing applications processed in 2012, 1,911 (65.5%) were withdrawn. Currently, the Section 8 Housing Choice Voucher waiting list is closed, but of the 482 applications in 2012, 316 (65.6%) were withdrawn. Withdrawn applications occur when the prospective voucher holder fails to respond to the HACP in a timely manner, remove themselves from the process, or fails to meet an eligibility requirement. The HACP does not collect data on the number of applications withdrawn due to criminal background or the number of persons who appeal ineligibility.

Enacting policy changes regarding eligibility and screening of prospective tenants is a lengthy process. Weber discussed the role for Resident Advisory Boards (RABs) in determining policies for ineligibility based on criminal backgrounds. RABs meet on their own and with PHA representatives to provide input to the Admissions and Continued Occupancy Policy (ACOP) and the five-year plan. Many persons who serve on the RABs are long-time residents who experienced the environments of public housing units in the 1990s when crime was very high. As a result, many residents support “zero-tolerance” policies in an attempt to make their communities safer by keeping re-offenders and substance abusers out. Both Aggazio and Weber expressed concern for tenants housing previously convicted persons illegally. Each PHA has rules regarding visitation in response to this. There is a stringent investigative process for tenants accused of illegally staying in a public housing unit.

Amy Kroll, Allegheny County Jail

The research team met with Amy Kroll, Administrator of Re-entry Services at the Allegheny County Jail (ACJ) for perspective from the criminal justice system on the housing needs and barriers faced by previously convicted persons. As examined in the *Local Criminal Justice System Context* (pg. 2) of this report, the ACJ has expanded re-entry services throughout the past decade to increase the likelihood of successful re-entry. Kroll noted that the ACJ was the only county program to receive federal funds through the Second Chance Act. The Re-entry Services Department of the ACJ provides a variety of referrals to transitional and permanent housing programs for persons being released. Kroll stated that re-entry and rehabilitation service programs are not currently offered to all inmates. Each inmate is evaluated according to the length of their sentence, the judge’s assessments of needs, and the financial resources they have available to them. Programs are separated by gender and are a top priority for persons that are high- and medium-risks for reoffending; this policy is a result of the cost-savings associated with reducing the probability of a high-risk person from reoffending. Risk assessment takes into account the age of the incarcerated person at their first arrest, current age, and prior record.

Kroll stated that the lack of affordable housing in Pittsburgh severely affects the ability of recently released persons to obtain housing. Kroll stated that persons recently released from the ACJ have a difficult time finding affordable housing that is also decent and safe. Many

previously incarcerated persons settle for deplorable housing conditions because they have no other choice. The presence of drugs and crime surrounding these housing units increase the likelihood that the individual will reoffend. Kroll had worked closely with the City of Pittsburgh Housing Authority in attempt to create a housing partnership. However, talks dissolved over issues of tenants breaking the conditions of their lease by illegally housing previously incarcerated persons in the PHA unit without proper notice.

Kroll also discussed community reactions to housing previously incarcerated persons in their neighborhoods. Neighbors often take a not-in-my-backyard (NIMBY) stance when proposals for transitional housing are made to community groups. Kroll believes that the housing unit disbursement model of the HARBOR program is important for overcoming this barrier. In relation to this, engaging the private housing market is crucial to acquiring housing for previously incarcerated persons.

Findings

Results of the data collected in the focus group meetings and semi-structured interviews find that there are a variety of service gaps in meeting the housing needs of the previously incarcerated population.

Finding 1. The housing needs of previously incarcerated persons differ based on their social networks, familial status (the presence of children), and the nature of the crime (violent or nonviolent) for which they were incarcerated.

This finding focuses on indicators to assess the housing needs for persons recently released from prison or jail. Each of these conditions requires different strategies for obtaining housing. First, the ability of persons to establish or maintain positive social networks during incarceration has important ramifications for the housing available to them after release. Family reunification significantly reduces the risk of recidivism and increases the probability of housing stability post-incarceration. However, many persons recently released from jails or prisons are unable or unwilling to re-connect with past social networks and must look for housing in alternative communities. Related to this, familial status refers to the occupancy needs of a single person versus a parent or guardian seeking housing for their family. Differences in familial status have implications on housing needs in terms of space, proximity to schools and child care, and neighborhood amenities. Finally, violent and nonviolent categories refer to the status of the crimes leading to incarceration. As noted in the data analysis section, eligibility requirements in emergency, transitional, and public housing bar violent offenders so that the availability of housing is severely constrained. The presence of a violent crime has great effect on the availability of housing in the private market as well. In combination, these indicators provide a useful overview of determining housing needs of persons during incarceration in preparation for release, or by service providers post-incarceration.

Finding 2. Housing opportunities are intrinsically tied to employment opportunities in a cyclical way.

There is a cyclical relationship in the ability of previously convicted persons to secure housing or employment, as employment can lead to better housing opportunities and vice versa. The ability of persons to secure either shelter or income greatly increases the prospect of that individual to secure the other. Likewise, the lack of employment or housing can work hand-in-hand as barriers to each other. Affordability in the housing market is a key component to providing greater housing stability and therefore employment opportunities to previously incarcerated persons.

Finding 3. Public Housing Authorities (PHAs) are a major player in meeting the housing needs of previously incarcerated persons due to affordability.

For previously incarcerated persons, the lack of affordable housing is exacerbated by routine denials based on criminal records and credit score checks. While PHAs have a significant role to play in providing affordable housing, that role is nuanced and other housing opportunities must be expanded or developed.

PHA's are often seen as being the responsible agency for satisfying the housing needs of previously incarcerated persons. Certainly, there is a role PHA's can play in addressing housing needs of previously convicted persons. However, it is important to note that there are limitations on the role of the PHAs, and that the burden placed on them in meeting housing needs is the result of a restricted private housing market. What is missing from the current discussion is the active engagement of a variety of housing providers to identify and articulate a reasonable role PHA's can play in addressing housing needs.

Finding 4. The private market is predominantly inaccessible to previously incarcerated persons.

The private market is noticeably absent from serving the housing needs of previously convicted persons. While the public housing market will accept previously incarcerated persons after a period of time, the private market has no obligation to do so. The presence of a criminal background alone can be grounds to deny a person housing in the private market. With no private market, the pressure on PHA's to be the housing solution for ex-offenders is exacerbated. There needs to be a role for the private market to serve the housing needs of ex-offenders but no discussions are currently underway to that end. The discussion of the role of the private market cannot be undertaken separate and distinct from the discussion of the role of PHA's.

Finding 5. There is a lack of funding to meet the needs of the previously incarcerated population.

Throughout the semi-structured interviews with service providers, participants consistently noted the negative impact of federal and state funding cuts to mental health services, housing programs, and other social safety nets. Service providers are constrained by budget cuts, most recently from the 2013 Federal Sequestration, to evaluate and formulate new policies to address the needs of the most vulnerable populations while continuing to meet the needs of their current clients.

Recommendations

Based on the data analysis and findings section of this research, the following preliminary recommendations are offered below. Researchers note that various agencies identified are already working toward addressing the myriad of impediments faced by persons returning to communities post-incarceration. The recommendations serve as additional efforts to encourage a more coordinated approach to eliminating re-entry barriers with a focus on housing.

Recommendation 1: Convene a task force to more effectively coordinate regional services and funding efforts in order to serve the previously incarcerated population and reduce rates of recidivism.

The task force offers an environment to assist in defining the role of housing providers, local governments, and service organizations in addressing housing needs for previously incarcerated persons and their families. The task force may include the Allegheny County, City of Pittsburgh, and City of McKeesport Public Housing Authorities (PHAs), the Human Relations Commissions of the City of Pittsburgh, Allegheny County, and Pennsylvania, the Allegheny County Jail Collaborative, the U.S. Department of Housing and Urban Development Pittsburgh office, temporary and transitional housing providers, private sector housing providers, and a variety of service organizations. The task force provides an avenue to network agencies and services offered throughout the region. In addition to coordinated services, the task force can serve as a resource for agencies to better assist clients.

Finally, the task force serves as a forum to discuss “best practices” for agencies to better assist previously incarcerated persons in obtaining housing, directing persons to treatment and rehabilitation programs, and financially sponsoring individuals and families. Collaboration through the task force may have a long-lasting impact on eliminating housing barriers for previously incarcerated individuals and their families.

Recommendation 2: Encourage the private housing market to accept tenancy of previously incarcerated individuals and their families through education and outreach by federal, state and local housing agencies and service organizations.

In the private market, housing providers are sometimes mandated to perform various background checks before admitting new tenants. In other cases, private landlords have created their own policies to include criminal background checks to determine housing eligibility. Landlords must be better informed of the services available to prospective tenants with criminal backgrounds. Private sector landlords can improve housing opportunities to persons with criminal histories by working with those who receive transitional support through service agencies. Through certificates of rehabilitation and service organization advocacy, landlords can better distinguish between applicants who have made a commitment to rehabilitation and those who may represent a potential risk.

As reported in the findings, the instances of serious mental illnesses are higher among the prison population than among the general population. It is important to further educate landlords

about their fair housing obligations to make reasonable accommodations for persons with mental disabilities, whether or not they relate to their involvement with the criminal justice system.

Finally, affordability is one of the most significant barriers to entry in the private housing market. Private market housing providers should be encouraged to accept all forms of lawful income and require further education on participating in the U.S. Department of Housing and Urban Development's (HUD) Section 8 "Housing Choice Voucher" program. An expansion in the acceptance of Housing Choice Vouchers is crucial for providing more affordable housing opportunities.

Recommendation 3: Take a more flexible and individualized approach in the process of determining tenancy eligibility where criminal records are present.

Public Housing Authorities (PHAs) can achieve this goal in part by (1) moving criminal background checks to the front-end of the application process; (2) increasing the time allotment for persons deemed ineligible to request an informal hearing to appeal the decision; and (3) working with the criminal justice system and service providers.

To be clear, it is not the sole responsibility of PHAs to provide housing to previously incarcerated persons. However, as mentioned in the findings section of this report, PHAs are a major player in the housing market due to the affordability of their housing units and restrictions to the private market because of poor credit scores and routine criminal background check denials.

PHAs should provide criminal background checks during the front-end of the application process, so that applicants do not have to wait until they have reached the top of the waiting list to receive notice of ineligibility due to criminal history. In addition, persons who are determined to be ineligible for housing by PHAs have a short time period to request an informal hearing to appeal the decision and provide evidence of rehabilitation. In Pittsburgh, the County and City Housing Authorities provide a period of ten days. This deadline places an undue burden on applicants who experience post-incarceration homelessness, may not receive mail in a timely manner, or lack access to a personal phone number at which they can be reached at. PHAs can remedy this burden by extending the appeal time to 30 or 60 days and working with representatives from service organizations who serve as an advocate on behalf of the applicant.

These recommendations challenge PHAs to re-work current "zero-tolerance" drug policies which automatically bar persons with criminal records related to substance abuse for a period of time. Given the relationship between the presence of mental illness, homelessness, and crime, persons who are otherwise qualified to meet program eligibility requirements and are evaluated to have a disability on the basis of a mental illness (which may relate to their criminal record) should qualify for a reasonable accommodation. The evaluation of disability on the basis of a mental illness requires sufficient evidence that establishes the presence of a medically determinable mental impairment as assessed by a healthcare professional. Related to this, PHAs may work with the criminal justice system and other service providers to support a holistic approach to rehabilitation. Participants of the focus group meetings reported that their continued working relationships with parole officers, caseworkers, and service providers post-incarceration greatly assisted their ability to smoothly re-enter a community. To the extent that PHAs must

ensure safety in their communities, a PHA may request that the prospective tenant be enrolled in a program that assists in rehabilitation where the request is the end result of an interactive process to seek an accommodation.

Recommendation 4: Provide guidance to Public Housing Authorities (PHAs) to increase housing opportunities for persons with criminal records.

The U.S. Department of Housing and Urban Development (HUD) can establish policies that encourage PHAs and other operators of subsidized housing to better respond to the needs of previously incarcerated individuals and their families by modifying eligibility rules and creating a more accommodating process to appeal program ineligibility. The differing local rules in the assessment of criminal backgrounds in determining eligibility should be made uniform to provide consistency to applicants and service organizations working on behalf of applicants. HUD and PHAs should consider whether eligibility policies may have a disparate impact on minority groups.

Currently, rules established by local PHAs to appeal program ineligibility consist of a short period of time for the applicant to request an informal hearing and often do not provide applicants with the necessary information required to demonstrate rehabilitation. HUD can provide guidance on the PHA appeal process to better address the housing needs of previously incarcerated persons and affirmatively further fair housing choice.

Recommendation 5: Dedicate, expand, and redirect funding sources for re-entry services that include transitional housing programs.

As discussed in the report, funding provided by the U.S. Department of Justice's (DOJ) Second Chance Act to the Allegheny County Jail Collaborative (ACJC) initiated the first steps in assisting formerly incarcerated persons in becoming law abiding citizens and reducing recidivism. Successful re-entry means both improved use of taxpayer dollars and safer communities. The Allegheny County Jail program to screen and assess persons released from the criminal justice system and offer a re-entry package that may include mentoring, employment services, mental health and substance abuse treatment, life skill training, and housing services, greatly improves community outcomes; but the need has not been fully met. The HARBOR Program facilitated by the Goodwill of Southwestern Pennsylvania is an example of a successful non-profit agency which provides two-year transitional housing to persons leaving the criminal justice system. However, as reported in this research, the number of persons re-entering communities far exceeds the number of transitional housing units available.

As the ACJC has shown, in order to reduce recidivism, supportive services cannot stop once the individual leaves the criminal justice system. The DOJ may achieve this recommendation in part by increasing funding for Second Chance Act recipients to improve outcomes for people returning to communities from prisons and jails and support policies that assist with family reunification during- and post-incarceration. In addition, federal agencies, including the DOJ and HUD, may pool funding to provide rental assistance to homeless individuals with criminal records, in combination with clinical services offered by a regional network of service providers.

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Appendix A: The Research Team

The research was completed by the Center of Metropolitan Studies in partnership with the City of Pittsburgh Commission on Human Relations. The research took a collaborative approach, working with a diverse group of community partners through expert panel meetings to assist in formulating research questions, suggesting approaches to data collection, interpreting findings, and generating recommendations for change.

The City of Pittsburgh Commission on Human Relations (CHR) is the official anti-discrimination agency for the City of Pittsburgh. CHR investigates complaints of alleged discrimination in employment, housing, and public accommodations within the City of Pittsburgh and derives its authority from the Fair Practices Provisions found in Article V, Chapters 651 through 659 of the Pittsburgh City Code. CHR is tasked with investigating civil rights violations and any conditions having an adverse effect on intergroup relations in the city. In addition, CHR conducts community education and other outreach programs for schools, community groups, businesses, professional organizations and City departments in order to promote equal rights and opportunities for all who work, live or visit our city. For over 50 years, CHR has successfully resolved issues of unfair and discriminatory practices faced by Pittsburgh residents.

The Center for Metropolitan Studies (CMS) is a public policy research institute under the University of Pittsburgh Graduate School of Public and International Affairs (GSPIA). Through research and involvement with state and local governments, federal agencies, regional organizations and the civic sector, CMS advances innovations in the governing of metropolitan regions that improves the quality of life in urban regions and the expertise of our students in public service.

Expert Panel Participants:

1. ACTION Housing, Inc.
2. Adult Probation Office
3. Allegheny County Department of Health and Human Services
4. Allegheny County Housing Authority
5. City of Pittsburgh Housing Authority
6. Divine Intervention Ministries
7. Family Services of Western PA
8. Formerly Convicted Citizens Project
9. Goodwill of Southwestern Pennsylvania
10. Light of Life Ministries
11. Lydia's Place, Inc.
12. Mon Valley Initiative: Southwestern Pennsylvania Re-Entry Coalition
13. Neighborhood Legal Services Association, Pittsburgh Office
14. Northside Coalition for Fair Housing
15. PA State Board of Probation and Parole
16. Pittsburgh Child Guidance Foundation
17. Pittsburgh Initiative to Reduce Crime
18. PROGRAM for Offenders
19. Salvation Army of Western Pennsylvania
20. United Way of Allegheny County
21. Urban League of Greater Pittsburgh
22. U.S. Housing and Urban Development Pittsburgh Field Office
23. YWCA Greater Pittsburgh, Center for Race and Gender Equity

Appendix B – Focus Group Introductory Script

The Center for Metropolitan Studies at the University of Pittsburgh’s Graduate School of Public and International Affairs is conducting research on barriers to housing for formerly incarcerated individuals. The research is being conducted in partnership with the Pittsburgh Commission on Human Relations and the Formerly Convicted Citizens Project. The purpose of the research is to identify the barriers, if any, individuals and their families face in finding permanent housing post-incarceration. The research will be conducted using focus groups. The focus group facilitator will also ask questions regarding:

- Assistance received with securing post incarceration housing, while incarcerated;
- Contrasts between the current neighborhood and the previous neighborhood;
- Areas in which you did or did not search for housing and why; and
- Family issues (proximity to family, barriers family faced, assistance family received);

Responses provided by participants during the focus groups will be summarized to provide a report to the U.S. Department of Housing and Urban Development on housing barriers. The focus group should last approximately one hour. All participant responses to the focus group are confidential. Your participation in this focus group is voluntary and you can end your participation in the focus group at any time. No responses made during the focus groups will be attributed to any particular individual.

Here are some Ground Rules for the discussion:

1. We will ask you to adopt a pseudonym/assumed name at the beginning of the focus group discussion in order to protect your identity.
2. We ask that you not discuss the crime for which you were incarcerated or any situations or circumstances related to the crime. The purpose of this discussion is to focus on barriers you experienced in finding or locating housing.
3. The issues you discuss will only be used to identify barriers related to housing or housing market experiences post-incarceration. The notes taken of the focus group will not be shared with individuals outside of the research team. The notes will be kept in a file cabinet in the office of the principal investigator, located at the University of Pittsburgh. The report will include summary information only.
4. Your name will not be included in any documents related to this research. In addition, we will not include any other descriptors that could potentially be linked to you or your family.
5. Please respond honestly.

6. Respect others while they are speaking.
7. Please respect each other's privacy.
8. Please do not reveal to anyone outside of the group the identity of individuals who participated in the focus group.
9. Please do not share information discussed within these focus groups.
10. Please take this time to turn off your cell phones.

Appendix C – Focus Group Questions

Introduction of Focus Group:

- Purpose & confidentiality of responses
- Participant demographic survey

Focus Group Questions:

1. What are some of the most difficult issues you confronted on your return back to your community?
2. What resources, persons, or organizations did you turn to for help after leaving prison or jail?
3. Where did you stay or sleep when you were released from prison or jail?
4. Have you received help from the Allegheny County Jail during or after incarceration? What help did you receive? Please describe your experiences.
5. What resources, persons or organizations do you turn to for assistance in finding housing?
6. What assistance did you search for and receive from service organizations? Family? What assistance did you search for but did not receive from service organizations? Family? Why?
7. Did you primarily search for housing inside or outside the City of Pittsburgh? Why?
8. For those searching for housing inside the City of Pittsburgh, what neighborhoods did you look at?
9. What sources of information do you use primarily to search for available housing?
10. How could sources of information be improved to assist you in finding housing?
11. Does anyone require a handicapped – accessible unit or require any accommodations or modifications to a housing unit due to their disability? How has this impacted your search for housing?
12. How does the available housing in the City of Pittsburgh impact your search or ability to maintain of employment?
13. Who here lives with children? Please describe your experiences searching and securing housing for your family.
14. Has anyone been involved in a transitional housing program, which provides temporary housing? Please describe your experiences.
15. Have you obtained or used a Section 8 “Housing Choice” voucher to secure housing, or have previously or currently live in a Housing Authority unit? How did you apply for housing? Please describe your experiences.
16. Do you feel that the process of searching or securing housing is different for you than others post incarceration? In what way?
17. In your view, what are the most pressing issues for returning prisoners? What have you experienced? What “typical” problems have you encountered?
18. What resources or tools do you wish you had, or wish you knew about, that would have better assisted you after leaving the prison system? Or, in other words, what advice would you give to other returning persons who were incarcerated? Why?
19. Is there anything else you would like to say regarding your experiences in searching for housing with a criminal record?